



County of Los Angeles CHIEF EXECUTIVE OFFICE

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February 12, 2008

To: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", is written over the printed name of the Chief Executive Officer.

AGREEMENT BETWEEN PROTOTYPES AND THE PUBLIC DEFENDER FOR THE IMPLEMENTATION OF PROJECT STRIVING TOGETHER-ACHIEVING RECOVERY (STAR)

On January 29, 2008, the Chief Executive Office (CEO) recommended approval of an Agreement between the County and PROTOTYPES, under which the Public Defender (PD) would participate in a pilot program known as Project Striving Together-Achieving Recovery (STAR). In brief, based on criteria established under the Federal government's funding guidelines for a grant provided through the Center for Substance Abuse Treatment, the PD would refer clients to PROTOTYPES for services that are aimed at enhancing and expanding substance abuse treatment and/or outreach and pretreatment services in conjunction with HIV/AIDS services to certain populations. During the Board's discussion of this item, questions were raised regarding the possibility of expanding this program to other adult indigent criminal defense agencies. As a result of these questions, your Board directed the CEO to evaluate the possibility of expansion and to report the findings in two weeks, including an explanation of why the program cannot be expanded if that is the conclusion reached. In response to this directive, the CEO reviewed the grant criteria and the reasoning behind the selection of the PD as the sole source of referrals to PROTOTYPES. The findings from this review are presented below.

Project STAR and the Public Defender's Role

In response to the Request for Applications to provide Targeted Capacity Expansion Program for Substance Abuse Treatment and HIV/AIDS Services when announced by the Substance Abuse & Mental Health Services Administration (a branch of the Federal government), PROTOTYPES submitted a concept which involved the delivery of services to the adult indigent criminal defense population. The program, known as Project STAR, would provide alternative sentencing opportunities to 40 individuals throughout the County. PROTOTYPES, as developer of the concept and applicant for the funding, invited the PD to be the sole source of referrals because of their past relationship and belief that the close coordination of program referrals and participants would be critical to achieving the mandated program success rate of 80 percent. Achievement of the mandated success rate is required to maintain the ongoing funding for the life of the program. The relationship between PROTOTYPES and the PD is contractual. The PD has no control over the inclusion or omission of other entities by PROTOTYPES.

Expansion of Project STAR

We did not find any indication that Project STAR could not be amended to include other entities. However, expansion of this program to include other agencies would increase the coordination (administrative) effort and programmatic costs required of PROTOTYPES as the grantee, and could require the allocation of resources to fund administrative staff of the other participating entities. In addition, the funding for this program is based on Federal cost bands. The number of clients cannot be adjusted. If PROTOTYPES does not meet this number of clients or if there is a delay in serving this number, their funding could be reduced.

PROTOTYPES has indicated they do not have any additional funding available, as Project STAR's grant award is already set at the maximum allowable. Therefore, any expansion of this program would be contingent upon finding another source of funding for PROTOTYPES and the other agencies that wish to participate. In addition, amendments will delay implementation of the already-approved program.

It should be noted that the application process, under which PROTOTYPES procured grant funding, was open to other entities such as State and local governments, Federally recognized American Indian/Alaska Native tribes and tribal organizations, urban Indian organizations, public or private universities and colleges, and community and faith-based organizations. Therefore, other entities did have an opportunity to submit applications for funding.

Conclusion

Based upon our findings, we have concluded that an expansion of the program as currently funded would result in an increase in the program's administrative staffing costs. Also, a delay in service delivery will be experienced if the pilot is amended until approval by the grantor of the new program design. Therefore, we recommend the program be allowed to continue in its current format.

We are resubmitting the request for approval of the agreement between the County and PROTOTYPES for the Board's consideration on the February 19, 2008, agenda.

If you have any questions regarding this report or recommendation, please contact Deputy Chief Executive Officer Doyle Campbell, Public Safety, at (213) 893-2274.

WTF:SRH:RDC
JW:MI:llm

c: JoAnne Rotstein, Public Defender